



Nepal

International Religious Freedom Report 2004

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion and permits the practice of all religions; however, it describes the country as a "Hindu Kingdom," although it does not establish Hinduism as the state religion. The Government generally has not interfered with the practice of other religions; however, there are some restrictions.

There was no change in the status of respect for religious freedom during the period covered by this report. Proselytization is prohibited. Members of minority religions occasionally report police harassment. Authorities restricted public celebrations by the Tibetan community on the Dalai Lama's birthday.

Adherents of the country's many religions generally coexist peacefully and respect all places of worship. Those who convert to other religions may face isolated incidents of violence and sometimes are ostracized socially, but generally they do not fear to admit their affiliations in public.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy maintains regular contact with Hindu, Christian, Buddhist, Jewish, and other religious groups.

Section I. Religious Demography

The country has a total area of 54,363 square miles, and its population is approximately 24.7 million. Hindus constitute approximately 81 percent of the population; Buddhists, 11 percent; Muslims, 4.2 percent; and practitioners of Kirant (an indigenous animist religion) and others, 3.6 percent, of which 0.45 percent are Christian. Christian denominations are few but growing. Christian leaders estimate the number of Christians at approximately 400,000, which is higher than the official government estimate. Press reports indicate that 170 Christian churches operate in Kathmandu alone.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion and permits the practice of all religions; although the Government generally has not interfered with the practice of other religions, there are some restrictions. The Constitution describes the country as a "Hindu Kingdom," although it does not establish Hinduism as the state religion.

For decades dozens of Christian missionary hospitals, welfare organizations, and schools have operated in the country. These organizations have not proselytized and have operated freely. Missionary schools are among the most respected institutions of secondary education in the country; many members of the governing and business elite graduated from Jesuit high schools. Many foreign Christian organizations have direct ties to churches and sponsor pastors for religious training abroad.

Some religious holidays, most of them Hindu, are recognized as national holidays. These are Mahashivaratri, Buddha Jayanti, Falgun Purnima, Krishna Asthami, Dasain, and Tihar.

Restrictions on Religious Freedom

The law prohibits converting others and proselytizing; these activities are punishable with fines, imprisonment or, in the case of foreigners, expulsion from the country.

Members of minority religions occasionally complain of police harassment. Some Christian groups are concerned that the ban on proselytizing limits the expression of non-Hindu religious belief. On February 14, 2003, three Nepali men were arrested in Pyuthan District and charged with proselytization. A case was filed against them in Pyuthan District Court on February 28, 2003. Charges were dropped, and the three men were released on September 11, 2003.

The Government investigates reports of proselytizing. Nongovernmental groups or individuals are free to file charges of proselytizing against individuals or organizations. Such a case was filed with the Supreme Court in 1999 by a private attorney against the Adventist Development and Relief Agency and the United Missions to Nepal, an umbrella Protestant development group. The case was dismissed by the Court in 2002.

Tibetan Buddhists have faced various restrictions on their celebrations. Since mid-2001, local authorities generally have restricted celebration of Tibetan religious festivals to private property. On July 6, 2003, celebrations planned in Kathmandu to mark the Dalai Lama's birthday were confined to a monastery compound. Celebrations to mark the Tibetan New Year, or Losar, on February 22 were largely restricted to a monastery compound. Plans to mark December 10, 2001, as the anniversary of the Dalai Lama's Nobel Prize, to be held at the Boudhanath Stupa, the center of Tibetan religious life in Nepal, were canceled at the request of the authorities. In 2002, police prevented a Tibetan cultural program planned at a public venue from taking place. The program was to have honored the 13th birthday of Gedhun Choekyi Nyima, the boy recognized by the Dalai Lama to be the 11th Panchen Lama.

In 2002, Government pressure forced organizers to cancel three separate public events planned to celebrate the Dalai Lama's birthday. In 2002, police closed a press conference held by a local Buddhist community group to protest statements by followers of the Dorje Shugden deity that criticized the Dalai Lama. In September 2002, the Tibetan Democracy Day religious gathering was interrupted by police. In March 2003, Tibetans celebrating the New Year were forbidden by police from displaying pictures of the Dalai Lama. In previous years, a portrait of the Dalai Lama had been carried around the stupa as part of the religious ceremonies.

In 2002, the Cabinet decided that Muslim religious schools, or madrassas, must register with local District Administration Offices (part of the Home Ministry) and supply information about their funding sources in order to continue operation; they receive no government funding. Some Muslim leaders criticized the move as discriminatory. However, the registration requirement has not been enforced. Muslims are not restricted in participating in the Hajj.

The Constitution prohibits discrimination on the basis of caste; however, in practice members of the lowest castes often are prohibited from entering Hindu temples. Persons not of South Asian ethnicity often are restricted from entering many Hindu temples. The Press and Publications Act prohibits the publication of materials that create animosity among persons of different castes or religions.

There were no reports of religious prisoners or detainees.

Reportedly, on July 26, 2003, Buddhist and Hindu villagers attacked members of a small Christian house church in the northern part of the country, resulting in hospitalization for at least one church member and the destruction of houses and cornfields belonging to Christians. Reportedly, Buddhist authorities in the village repeatedly had asked Christians to give up their faith, and when they refused, the Buddhists joined with Hindu villagers to attack the Christians. In a separate incident, a Nepali evangelist allegedly witnessed an attack in mid-June 2003 on a newly built Christian church

in Beldangi, Jhapa district. These reports cannot be confirmed.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There have been scattered reports of Maoist insurgents attacking Hindu temples and harassing Hindu priests during the reporting period. On June 19, unconfirmed local media reported that Maoist insurgents banned worship in the Khadgadevi temple in Maidikot, Dhading District, employing threats and intimidation to enforce the ban.

Section III. Societal Attitudes

The adherents of the country's many religions generally coexist peacefully and respect all places of worship. Most Hindus respect the many Buddhist shrines located throughout the country; Buddhists accord Hindu shrines the same respect. Buddha's birthplace is an important pilgrimage site, and Buddha's birthday is a national holiday.

Some Christian groups report that Hindu extremism has increased in recent years. Of particular concern are the Nepalese affiliates of the India-based Hindu political party Shiv Sena, locally known as Pashupati Sena, Shiv Sena Nepal, and Nepal Shivsena. During late 2001, Muslim leaders complained that Hindu fundamentalists increased their campaigns of anti-Islamic pamphleteering and graffiti. Government policy does not support Hindu extremism, although some political figures have made public statements critical of Christian missionary activities. Some citizens are wary of proselytizing and conversion by Christians and view the growth of Christianity with concern. There are unconfirmed reports that Maoists suppressed religious observance in areas under their control through intimidation and harassment.

Those who choose to convert to other religions, in particular Hindu citizens who convert to Islam or Christianity, sometimes are ostracized socially. They may face isolated incidents of hostility or discrimination from Hindu extremist groups. Some reportedly have been forced to leave their villages. While this prejudice is not systematic, it can be vehement and occasionally violent. Nevertheless, converts generally are not afraid to admit in public their new religious affiliations.

Although such discrimination is prohibited by the Constitution, the caste system strongly influences society. Societal discrimination against members of such castes remains widespread and persistent, despite the Government's efforts to protect the rights of disadvantaged castes. Hindu religious tradition has prohibited members of the lowest caste and other religions from entering certain temples. In a speech in August 2001, Prime Minister Sher Bahadur Deuba stressed that caste-based discrimination is illegal. Since then, temple access for members of the lowest castes has improved in many locations. Draft legislation aimed at improving conditions for members of the lowest castes is pending; however, as Parliament did not sit during the reporting period, there has been no further legislative action.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy maintains contact with Hindu, Christian, Buddhist, Jewish, and other religious groups. The Embassy monitors closely religious freedom and raises the issue with the Government when appropriate.

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